

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LETIZIA MARTINEZ de GONZALEZ,

Plaintiff,

-v-

UBS AG, UBS TRUSTEES, LTD.,

Defendants.

UBS AG,

Third-Party Plaintiff,

-v-

ROBERT J. REGER, JR., THELEN, REID,  
BROWN, RAYSMAN, AND STEINER, LLP.,

Third-Party Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED 12/10/07

No. 07 Civ. 7462 (RJS)

AMENDED CASE MANAGEMENT  
PLAN AND SCHEDULING ORDER  
ECF

RICHARD J. SULLIVAN, District Judge:

At the conference before the Court held on December 5, 2007, this Case Management Plan and Scheduling Order was adopted in accordance with Rules 16-26(f) of the Federal Rules of Civil Procedure.

1. All parties do not consent to disposition of this case by a Magistrate Judge, pursuant to 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.
3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) will be completed not later than January 16, 2007.
6. All *fact* discovery is to be completed no later than May 1, 2008.

7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties meet the fact discovery completion date in ¶ 6 above:
  - a. Initial requests for production of documents to be served by December 31, 2007.
  - b. Interrogatories to be served by December 31, 2007.
  - c. Depositions to be completed by March 21, 2008.
    - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
    - ii. There is no priority in deposition by reason of a party's status as plaintiff or defendant.
    - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow initial party depositions.
  - d. Requests to Admit to be served no later than April 14, 2008.
8. All *expert* disclosures, including reports, production of underlying documents and depositions are to be completed by:
  - a. Expert(s) of Plaintiff(s) April 1, 2008.
  - b. Expert(s) of Defendant(s) April 14, 2008.
9. All discovery is to be completed no later than May 1, 2008.
10. The Court has scheduled a post-discovery status conference (see ¶ 16) for May 22, 2008, at 4:30 p.m.
11. Pre-motion letters regarding dispositive motions, if any, are to be submitted no later than May 12, 2008. In accord with this Court's Individual Rule 2.A, response letters thereto are to be submitted by May 16, 2008.

12. All counsel must meet for at least one hour to discuss settlement not later than two weeks following the close of fact discovery. Accordingly, Counsel for the parties have discussed holding a settlement conference before a Magistrate Judge or the Southern District's Mediation Program and request: [check one]
- a.   X   Referral to a Magistrate Judge for settlement discussions
- b.            Referral to the Southern District's Mediation Program
13. The parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practice Rule 3 and Rule 26(a)(3). If this action is to be tried before a jury, proposed *voir dire*, jury instructions, and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict form in an effort to make an agreed upon submission.
14. Parties have conferred and their present best estimate of the length of trial is five days.

////////////////////////////////////  
**TO BE COMPLETED BY THE COURT:**

15. [Other directions to the parties:]
16. The post-discovery status conference is scheduled for May 22, 2008  
at 4:30.

SO ORDERED.

DATED: New York, New York  
December 10, 2007

  
\_\_\_\_\_  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE